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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,652	08/19/2003	Makoto Namikawa	Q76997	3048

65565 7590 03/02/2007
SUGHRUE-265550
2100 PENNSYLVANIA AVE. NW
WASHINGTON, DC 20037-3213

EXAMINER

SINGH, ARTI R

ART UNIT	PAPER NUMBER
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1771

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/642,652

Applicant(s)

NAMIKAWA ET AL.

Examiner

Ms. Arti Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date several
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- ☐ Notice of Informal Patent Application
- ☐ Other: ____

DETAILED ACTION

Response to Arguments

1. The Examiner has carefully considered Applicant's remarks dated 12/07/06. The Declaration submitted under 37 CFR 1.131 is acknowledged and sufficient to overcome the 102 (e) art rejection made in paragraphs 3-4 of the previous office action. With regard to the double patenting rejections over applications 10/297173, 11/000007 and 11/014779, they are being held in abeyance as requested. It should be noted that it appears that both the Examiner and Applicant have typographically misrepresented the claims that are pending. According to the file history claims 1-7 are pending and not 4-7.
2. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2001-309340. As stated in the declaration that was submitted along with Applicant's accompanying remarks this reference as admitted by Applicant teaches all the required limitations. Thus, claims 1-7 are anticipated as stated by JP 2001-309340.
5. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6170115 issued to Tanaka et al.

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6. Tanaka et al. teach a cleaning tape for use in cleaning transporting surfaces of transporting rollers arranged along a photographic material transporting passageway includes a tape body provided on at least one side thereof with an adhesive layer spaced a distance away from one lengthwise end thereof. A porous screen is laid on the adhesive layer [abstract]. It is the object of the invention to provide a cleaning tape capable of reliably cleaning out contaminants on the transporting rollers of the photographic processor with efficiency and without being rolled into the transporting rollers. To achieve the above object, the present invention provides a cleaning tape for use in cleaning transporting surfaces of transporting rollers arranged along a photographic material transporting passageway, wherein a tape body is provided on at least one side thereof with an adhesive layer, with a distance away from one lengthwise end thereof, and a porous screen is laid on the adhesive layer. The cleaning tape of the invention is constructed such that when a surface of a portion of the tape body forming thereon the adhesive layer is in a non-pressurized state, the porous screen protrudes from a surface of the adhesive layer so that the cleaning tape can show substantial non-tackiness, while on the other hand, when the surface of the portion of the tape body forming thereon the adhesive layer is in a pressurized state, the adhesive layer emerges from porous portions of the porous screen so that the cleaning tape can show substantial tackiness (column 1, line 56- column 2 line 11). The tape body (3) is described at column 3, lines 25-43 and are thermoset resins. The adhesive is described at column 3, line 44 to column 4, line 7). The porous screen is described at column 4, lines Thus, Tanaka et al anticipate claims 1-7 as they teach a cleaning sheet that can be a transfer member, and comprises resins like polypropylene or vinyl chloride, polyethylene terephthalate to which on one side an adhesive is applied and on the opposite side a porous member.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-T 9-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ms. Arti Singh
Primary Examiner
Art Unit 1771

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